

28.08.2023
ML. 556
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3377 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **396** of **2023** dated **11.05.2023** under Sections **20(b)(ii)B/29** of the NDPS Act.

And

In the matter of: **Ashis Yadav & Anr.**

....petitioners.

Mr. Tapodip Gupta

...for the petitioners.

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee

... for the State.

1. Heard learned Counsel for the parties.
2. It is fairly submitted at the Bar that Ganja of 16.945 Kgs. was seized from the co-accused person which is less than commercial quantity and more than small quantity and the basis of implication of the present petitioner is the statement of co-accused.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Judge, Special Court, under NDPS Act, Berhampore, Murshidabad in G.R. Case arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that each of the petitioner shall appear before the learned Trial Court on

each date of substantive hearing subject to provision of Section 317 Cr.P.C.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being **CRM (A) 3377 of 2023** is disposed of.
6. Learned Judge, Special Court, under NDPS Act, Berhampore, Murshidabad is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

